



1743
EFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Our Case No. 1723-13001US01)

In the Application of:)
G. Patrick Stahly)
Kenneth R. Morris)
Barbara C. Stahly)
David Coates)

Serial No.: 09/752,857)

Filing Date: December 28, 2000)

Examiner: Y. Gakh)

Group Art Unit: 1743)

For: METHODS OF SEARCHING FOR)
SOLID FORMS AND)
SCREENING A SAMPLE)
ACCORDING TO ITS FORMS)

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on May 12, 2004.

By: Michael B. Harlin
Michael B. Harlin
Reg. No. 43,658

**NOTICE OF CHANGE IN SMALL ENTITY STATUS AND
EXCUSE OF DELAYED NOTICE UNDER 37 CFR 1.28(c)**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-14501

Sir:

Applicants submits this Notice of Change in Small Entity Status with respect to the application identified above. Although Applicants' attorney did not file a Notice of Change in Small Entity Status with the payment of the issue fee, this is excused under 37 C.F.R. §1.28(c).

Applicants have paid large entity fees at all times since the change in small entity; there has not been any deficiency in fee payments.

NOTICE OF CHANGE IN SMALL ENTITY STATUS

At the time of filing of the application identified above (December 28, 2000), the application was entitled to small entity status.

Subsequent to the filing date, rights under the application were licensed to an entity that would not qualify as a small entity. Accordingly, after the filing date, there was a change in small entity status for this application. Since the time of the change in small entity status, the fee payments for the application have been in the amounts set for a large entity.

EXCUSE OF DELAYED NOTICE UNDER 37 CFR 1.28(c)

Applicants paid the issue fee for the application on April 27, 2004 in the amount for a large entity; there was no deficiency in fee payment. However, Applicants' attorney inadvertently did not submit a Notice of Change of Small Entity Status. Applicants' attorney became aware of the need to submit this Notice on May 11, 2004 and is submitting this paper on May 12, 2004.

Under 37 C.F.R. §1.28(c), errors in small entity status are excused by compliance with the separate submission and itemization requirements of paragraphs (c)(1) and (c)(2) and the deficiency payment requirement of paragraph (c)(2). Since this paper complies with the separate submission and itemization requirements of paragraphs (c)(1) and (c)(2), and since no deficiency is owed, Applicants believe that the requirements of 37 C.F.R. §1.28(c) have been met and the delay in submitting the Notice is excused.

If, for any reason, the Office believes any additional information or fee payment is required to excuse the delay in submitting the Notice, Applicants request that the Office contact Applicants' undersigned attorney. The absence of any contact from the Office shall indicate that the delay in submitting the Notice has been excused.

Respectfully submitted,

Date: May 12, 2004



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